

DEVELOPMENT STANDARD (November 23, 2022):

- General Provisions
 - These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Chick-Fil-A, Inc. to request the rezoning of an approximately .881 acre site located on the east side of Randolph Road between Greenwich Road and North Sharon Amity Road, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel
- The development and use of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
- Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the B-2 zoning district shall govern the development
- The development depicted on the Rezoning Plan is schematic in nature and intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the configuration, placement and size of the building footprint as well as the internal drives and parking and circulation areas depicted on the Rezoning Plan are schematic in nature and, subject to the terms of these Development Standards and the Ordinance, are subject to minor alterations or modifications during the
- design development and construction document phases. A purpose of this rezoning request is to demolish the existing building on the Site that is utilized for an eating, drinking and entertainment establishment Type 1 with accessory drive—in/drive through service lanes/windows, and to construct a new building on the Site that would be devoted to an
- lanes/windows, outdoor dining, carry—out pick—up windows and no indoor seating for patrons. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the
- Permitted Use/Development Limitations
- Subject to the development limitations set out below, the Site may only be devoted to the uses set out below and to any incidental and/or accessory uses associated therewith that are permitted under the Ordinance in the B-2 zoning district.
- 1) An eating, drinking and entertainment establishment (Type 1) with drive—in/drive through service lanes/windows, outdoor dining and carry-out pick-up windows and no indoor seating for patrons, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the B-2 zoning district.
- (3) Those uses that are permitted by right or under prescribed conditions in the B—2 zoning district that are also permitted by right or under prescribed conditions in the B-1 zoning district, together with any incidental/and or accessory uses associated therewith that are permitted under the Ordinance in the B-2 zoning district.
- An eating, drinking and entertainment establishment (Type 2) shall be subject to the applicable regulations of Section 12.546 of the Ordinance.
- Notwithstanding the terms of paragraph 2.A. above, the following uses are prohibited on the Site:
- Automotive service stations.
- Dwellings/residential uses.
- (3) Schools, colleges and vocational schools.
- (4) Equipment rental within an enclosed building. (5) Fence and fence material sales within an enclosed building.
- (7) Group homes, adult care homes and centers and boarding houses.
- (9) Nurseries/greenhouses.
- (10) Outdoor seasonal sales.
- (11) Car washes.
- (14) Parking as a principal use.

- Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department of Transportation ("CDOT").
- The southernmost vehicular access point on Randolph Road shall be limited to right-in, right-out
- The northernmost vehicular access point on Randolph Road shall be limited to right-out movements. The access point on Colwick Road shall be limited to entrance (ingress) only movements. An entrance
- The alignments of the private drives and the parking and vehicular circulation areas may be modified by Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with applicable published standards.
- All transportation improvements will be approved and constructed prior to the issuance of a certificate of occupancy for the new building to be constructed on the Site.
- Off—street vehicular parking for an eating, drinking and entertainment establishment (Type 1) with drive—in/drive through service lanes/windows, outdoor dining and carry—out pick—up windows and no indoor seating for patrons shall be provided at the rate of 1 parking space per 250 square feet of gross floor area for the new building to be constructed on the Site, and 1 parking space per 75 square feet of floor area for an outdoor dining patio.
- Off—street vehicular parking for any use or uses on the Site other than an eating, drinking and entertainment establishment (Type 1) with drive—in/drive through service lanes/windows, outdoor dining and carry-out pick-up windows and no indoor seating for patrons shall be provided in accordance with the requirements of the Ordinance.
- Prior to the issuance of a certificate of occupancy for the new building to be constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Randolph Road as required to provide right of way measuring 50 feet from the existing centerline of Randolph Road, to the extent that such right of way does not already exist.
- Prior to the issuance of a certificate of occupancy for the new building to be constructed on the Site, Petitioner shall convey to the City of Charlotte (subject to a reservation for any necessary utility easements) a sidewalk utility easement located 6 feet behind the 8 foot sidewalk to be installed along the Site's frontage on Randolph Road as generally depicted on the Rezoning Plan to accommodate the future installation of a 12 foot wide multi—use path along the Site's frontage on Randolph Road by the City of Charlotte.
- Petitioner will dedicate to the City of Charlotte via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, and the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy for a new building constructed on the Site. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks located along the public streets located outside of the right—of—way. The permanent
- sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible. Prior to the issuance of the first certificate of occupancy for a new building constructed on the Site, Petitioner shall contribute the sum of \$70,000.00 to the City of Charlotte to be applied to the cost of installing a traffic signal at the intersection of Randolph Road and the Publix access point or to the cost of other improvements at this intersection. The traffic signal and/or any other improvements at the intersection of Randolph Road and the Publix access point will be installed by others (not
- _____ Architectural Standards
- The maximum height of the new restaurant building to be constructed on the Site shall be governed by the Ordinance.
- Attached to the Rezoning Plan are conceptual, schematic images of each elevation of the new restaurant building to be constructed on the Site that are intended to depict the general conceptual architectural style, design treatment and character of each elevation of the new restaurant building to be constructed on the Site. Accordingly, each elevation of the new restaurant building to be constructed on the Site shall be designed and constructed so that each elevation is substantially similar in appearance to the attached relevant conceptual, schematic image with respect to architectural style, design treatment and character. Notwithstanding the foregoing, changes and alterations to each elevation of the new restaurant building that do not materially change the overall conceptual architectural style, design treatment and character shall be permitted.
- Streetscape and Landscaping
- Petitioner shall install a minimum 8 foot wide planting strip and a minimum 8 foot wide sidewalk along the Site's frontage on Randolph Road as generally depicted on the Rezoning Plan.
- Petitioner shall install minimum 2.5 foot tall masonry screen walls along a portion of the Site's frontage on Randolph Road as generally depicted on the Rezoning Plan.
- <u>Environmental Features</u>
- Development of the Site shall comply with the applicable requirements of the City of Charlotte Tree
- Binding Effect of the Rezoning Documents and Definitions
- A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the
- current and subsequent owners of the Site and their respective successors in interest and assigns. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner
- or owners of the Site from time to time who may be involved in any future development thereof. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.



Atlanta Georgia, 30349-2998 PH 404-765-8000 FAX 404-684-8550

5200 Buffington Rd.

REVISION SCHEDULE NO. DATE DESCRIPTION



NC LICENCE #C-0555

4431 RANDOLPH ROAD

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necked By: <u>MSW</u>